

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 597 of 1998

Hon'ble MR.JUSTICE Y.B.BHATT

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

GUJARAT STATE ROAD TRANSPORT CORPORATION

Versus

SADHU NARANDAS HARIRAM GONDALIYA

Appearance:

MR YOGESH S LAKHANI for Petitioner

MR SANDEEP N BHATT for Respondent No. 1

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 18/11/1999

ORAL JUDGEMENT

1. This is a revision under section 115 of CPC at the instance of the petitioner who is the original opponent in Motor Accident Claims Petition No.83/97, challenging the order below Exh.7 in the said claim petition. The said application was an application for interim compensation under section 140 of the Motor Vehicles Act, 1988 wherein the Tribunal has awarded Rs.25000/-.

2. As a result of the hearing and discussion a consensus has been arrived at between the learned counsel on the basis of which the following directions are issued:

(A) The Tribunal shall take up the hearing of the Motor Accident Claim Petition No.83/97 and shall dispose of the same finally as expeditiously as possible and in any case not later than 30th June 2000.

(B) It is clarified that the impugned order of interim compensation is not stayed, but this amount shall be subject to adjustment under the final award that may be passed in the main claim petition. It shall be open to the Tribunal to permit withdrawal of the said amount of Rs.25000/- on such terms and conditions as it may consider appropriate on the facts and circumstances of the case. It is further clarified that such withdrawal shall be subject to all contentions taken in the main petition by the present petitioner.

3. This revision is accordingly disposed of. Rule is discharged with no order as to costs.
